

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Central District of California

BERNHARD KÜHMSTEDT, an
individual,

Plaintiff(s)

v.

SPOTIFY USA, INC., a Delaware corporation;
UNIVERSAL MUSIC GROUP, INC., a California
corporation, d/b/a "MERCURY RECORDS, LTD.";

[con't. on pg. 3]

Defendant(s)

Civil Action No. 2:23-cv-02292 MEMF (SKx)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* SPOTIFY USA, INC., a Delaware corporation; UNIVERSAL MUSIC GROUP, INC., a California corporation, d/b/a "MERCURY RECORDS, LTD."; APPLE, INC., a California corporation, d/b/a "SHAZAM"; BLACKGROUND RECORDS, LLC, a Delaware limited liability company; and DOES 1-10, inclusive

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Scott Alan Burroughs, Esq.
Frank R. Trechsel, Esq.
DONIGER / BURROUGHS
603 Rose Avenue
Venice, CA 90291

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

J. Jellman

Signature of Clerk or Deputy Clerk



Date: 3/30/2023

Civil Action No. 2:23-cv-02292

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

1 Scott Alan Burroughs (SBN 235718)
scott@donigerlawfirm.com

2 Frank R. Trechsel (SBN 312199)
ftrechsel@donigerlawfirm.com

3 DONIGER / BURROUGHS

4 603 Rose Avenue

5 Venice, California 90291

6 Telephone: (310) 590-1820

7 Attorneys for Plaintiff

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10
11 BERNHARD KÜHMSTEDT, an
12 individual,

13 Plaintiff,

14 v.

15 SPOTIFY USA, INC., a Delaware
16 corporation; UNIVERSAL MUSIC
17 GROUP, INC., a California corporation,
18 d/b/a “MERCURY RECORDS, LTD.”;
19 APPLE, INC., a California corporation,
20 d/b/a “SHAZAM”; BLACKGROUND
21 RECORDS, LLC, a Delaware limited
22 liability company; and DOES 1-10,
23 inclusive,

24 Defendants.
25
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Case No.:

Plaintiff’s Complaint for:

1. Copyright Infringement
2. Vicarious and/or Contributory Copyright Infringement
3. Violation of DMCA 17 U.S.C. § 1202

Jury Trial Demanded